IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Civil Application no. 364 of 2006
IN
FIRST APPEAL(ST)NO.27001 OF 2005

Can Fin Homes Ltd. ..Applicant

V/s.

M/s. Hrishikesh Constructions
and others. ..Respondents

Mr.D.G. Dhanure i/b M.V. Kini & Co. for the Applicant

Mr. I.R.Kulkarni i/b A.A. Agrawal for the Respondents

CORAM : J.N. PATEL &
A.A.SAYED, JJ

27TH AUGUST 2007.

P.C. :-

. The application for condonation of delay can be taken up for consideration, as the Counsel for applicant undertakes to pay bhatta within a weeks time. Counsel for Respondents waives service. Respondents has also preferred First Appeal No. 2090/07 in the

matter. This is an application for condonation of delay which is of 12 days. This Court has condoned the delay in the Appeal filed by the Respondents without any condition and, therefore, we do not find any reason why the application should not be allowed.

2. Delay is, therefore, condoned. The appeal be registered on payment of bhatta as per the undertaking. Thereafter, appeal be listed for admission in the next week along with Civil Application No. 365/2007. Respondents to file reply, if any.

(J.N.PATEL,J)

(A.A.SAYED,J)